

Senate Bill No. 1273

CHAPTER 687

An act to add Section 11104.5 to the Government Code, relating to state agencies.

[Approved by Governor October 4, 1997. Filed
with Secretary of State October 6, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1273, Hurtt. State agencies: electronic mail.

Existing law provides for the establishment and operation of various state agencies.

This bill would provide that notwithstanding any other provision of law, any requirement that a state agency send material, information, notices, correspondence, or other communication through the United States mail shall be deemed to include the authority for the state agency to send that material, information, notice, correspondence, or other communication by electronic mail upon the request of the recipient, unless impracticable to do so, or unless contrary to state or federal law. This bill would authorize a state agency to require that direct costs incurred by the agency involving the electronic transmission of requested information shall be paid by the requester, as specified.

This bill would state that nothing in its provisions shall be construed to permit an agency to act in a manner inconsistent with the standards adopted pursuant to specified existing law relating to the availability of public records and information.

The people of the State of California do enact as follows:

SECTION 1. Section 11104.5 is added to the Government Code, to read:

11104.5. (a) Notwithstanding any other provision of law, any requirement that a state agency send material, information, notices, correspondence, or other communication through the United States mail shall be deemed to include the authority for the state agency to send that material, information, notice, correspondence, or other communication by electronic mail upon the request of the recipient, unless impracticable to do so, or unless contrary to state or federal law.

(b) Any state agency may require that direct costs incurred by the agency involving the electronic transmission of information be paid by the requester pursuant to this section and the California Public

Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

(c) Nothing in this section shall be construed to permit an agency to act in a manner inconsistent with the standards adopted pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code).

